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Report
of the
Executive Board
of the
Committee of Seventy
to the
General Committee



March 20th, 1912

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of
The Committee of Seventy

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General Review of the Work of the Committee of Seventy Since its Foundation

ORGANIZATION.

The Committee of Seventy was organized as a result of a meeting of citizens held at the Philadelphia Bourse, November 14, 1904, and has been in existence now more than seven years. During this period it has been actively at work in promoting the purposes for which it was formed, and has been closely in touch with and has assisted the movement for the improvement of civic conditions in Philadelphia. It seems appropriate at this time to review briefly its work and to consider its plans for the future.

When the Committee of Seventy was formed in the latter part of the year of 1904, the city was controlled by a corrupt political organization. This had been secured (as stated in the report of the Committee of Seven, which formulated the plan for the organization of the Committee of Seventy), first, by its control of office holders; second, by its control of the police; third, by its control of elections through the first two instruments and through fraud; fourth, by its control of contracts and grants of public franchises.

The Committee of Seventy having been organized with an Executive Board of nine, and funds to a liberal amount having been subscribed by public-spirited citizens, opened headquarters and began to examine into the situation. The specific work of the Committee was stated in the plan to be as follows:

(a) Election of city officials (including election officers) devoted to the public interest, to be selected without regard to national party politics.

(b) Protection of the ballot by the vigorous enforcement of the election laws, and by advocating measures looking to personal registration and a simple form of official ballot.

(c) Encouraging and aiding faithful officials in the performance of their duties.

(d) Gathering and disseminating reliable information regarding city affairs and candidates.

FORMING CITY PARTY.

The election of February, 1905, was approaching and it was determined to make the first try of strength at this election, at which magistrates were to be chosen. After due reflection, it was decided to organize an independent party to form a rallying point for good citizens. This party was named the "City Party." The campaign was financed by the Committee of Seventy and the active work was done by its officers and members. The new party was not successful in electing its candidates, but much work of great value was done in organizing ward and division committees throughout the city and thus securing a reliable and organized body of citizens who were capable of quick and effective action.

NON-PARTISAN BODY.

Shortly after this election, the Committee of Seventy severed all formal relations with the City Party in order that it might assume the position originally intended, of a non-partisan body devoted to the improvement of civic conditions, without being bound by the action which might be taken by any political organization over which it had no control. From that time until the present, while many of the members of the Committee of Seventy have been active and influential in the work of independent parties, the Committee has not formally associated itself with any political party whatever. It by no means follows, however, that the Committee has not done political work. It has from time to time examined into the fitness of candidates proposed by various political parties and has published

the results of its investigation concerning them, usually with a recommendation in favor of or against such candidates. It has also been active in urging or opposing appointments of public officers, especially registration officers, election officers and the like.

The work which the Committee has done in this regard has been of value not only because it in many instances was enabled to publish facts concerning candidates which showed their fitness or unfitness for the positions which they sought, but also because the fact that there was a body of citizens with an effective executive force ready to examine into the records of those who offered themselves as candidates for public office undoubtedly restrained many unfit persons from coming forward and seeking the support of the public.

The work of the Committee as a non-partisan body has been mainly directed to improving certain fundamental conditions without interfering in details of administration. The greatest need was an improvement in the honesty of the elections, and to this the Committee has given unremitting attention.

PROSECUTING FRAUD.

The work of prosecuting those who had committed crimes against the ballot was begun immediately after the February election, 1905. A great many arrests were made during that spring and the succeeding summer. The offense in nearly every case was what is commonly known as stuffing the ballot box, *i. e.*, depositing a large number of fictitious ballots in the boxes and writing in the official books a like number of fictitious names which had been previously recorded on the assessor's list, which was then the only registration of voters which the law required. In several cases it was shown that two hundred fraudulent votes had thus been cast in a particular election district, and the guilty persons were convicted and sentenced.

It needs no argument to show the almost hopelessness of the efforts of good citizens to succeed at an election where fraud of such magnitude can be committed with impun-

ity. The Committee of Seventy in order to destroy these conditions set about to attack the problem at all points: first, to prosecute for fraud in the election; second, to prosecute the assessors for putting fictitious names upon the lists; third, to strike false names from the assessors' lists through the action of the assessors or the courts; fourth, to secure a personal registration law so as to minimize the opportunities for stuffing the ballot boxes; fifth, to enforce the law requiring secrecy of the ballot, so as to prevent bribery and intimidation; sixth, to prosecute police officers and others who were guilty of intimidation of voters and making false arrests or of other brutal or "strong-arm" methods.

The history of the last seven years shows that substantial progress along every one of these lines has been made.

During the period from the February, 1905, election until the special session of the legislature of the following year, at which a personal registration law was secured, the Committee of Seventy arrested 153 persons, and secured convictions in all that could be tried, amounting to 29, in which sentences were imposed ranging from two years' imprisonment and five hundred dollars fine, to smaller fines in some cases where the offenses were of less importance. These prosecutions were of the utmost value in their effect upon elections, and this was the first time for many years that there had been any effective and continuous prosecutions of persons guilty of offenses of this character.

PURGING THE ASSESSORS' LIST.

Prior to the November election of 1905 the Committee of Seventy had also been instrumental in striking a very great number of fictitious names from the assessors' lists, in order that "stuffing the ballot box" might be minimized at the succeeding election. It was largely due to this careful work that that election and the one following were won by the Independents.

PERSONAL REGISTRATION ACT.

In the winter of 1906 the Committee of Seventy gave special attention to the drawing and enactment of a personal registration law. The Committee had a representative on the Commission which drew the law and it appropriated funds to pay such expenses of that Commission as were not contributed by its own members. The law was passed in the Special Session of that year. After its enactment the Committee gave special attention to transgressions against it, and there have been a large number of arrests and convictions for false or attempted false registration. In some instances successful prosecutions have been conducted against registrars, although on account of the careful work of the Registration Commissioners and the attention of the Committee very little gross fraud of this character has been as yet attempted. In consequence, however, of the enactment of the personal registration law, which made it possible to secure a reasonably correct list of voters, other kinds of fraud almost as dangerous as stuffing the ballot boxes were resorted to. The most flagrant method was by means of intimidation and bribery.

ASSISTANCE OF VOTERS.

This could only be accomplished by destroying the secrecy of the ballot, so that it would be possible for the representatives of the "Corrupt Machine" to learn how the vote was cast. To do this resort was had to the expedient of sending representatives into the polling booths with the voters under the plea that the voter needed "assistance" in marking his ballot. This abuse was especially flagrant at the election of 1909, and the Committee of Seventy conducted a thorough investigation of that election, which showed that there was a widespread plot, participated in by those high in the councils of the Republican Party, to debauch the election by so-called "assistance" of voters. As a result of the investi-

gation then made it was ascertained that 38,000 votes were marked by persons other than the voter or that they were marked by the voter in the presence of one who had injected himself into the booth, thus destroying the secrecy of the ballot. The Committee then charged and now repeats that this was done in pursuance of a fraudulent conspiracy and these votes were all essentially fraudulent and cast in violation of the law. The Committee made large numbers of arrests, but never had it met with such determined opposition in its efforts to bring to justice those who were guilty of these offenses. The work of the Committee, however, was not without its effect. Not only has the assistance of voters very greatly decreased since that investigation and those arrests, but the community has been thoroughly aroused to the necessity of an improvement in the law protecting that secrecy of the ballot which is enjoined by the Constitution.

STRONG-ARM METHODS AND THE POLICE.

Another method of intimidating voters was to use "strong-arm" methods and the power of the police in intimidating or driving away independent watchers. The Committee of Seventy made a determined and vigorous effort to punish offenses of this kind, something which had never been successfully done. A division leader named McConnell, who had been guilty of a brutal assault upon reform workers in one of the divisions of the Tenth Ward, was convicted after one disagreement of the jury, and was sentenced to one year's imprisonment, which term he is now serving. In another case even more notable, a police lieutenant, two house sergeants, an officer and a leader of a division were arrested and convicted for conspiracy in having falsely arrested reform workers the day before election, and having spirited them away to a station house in a distant part of the city, and kept them in confinement without any charges against them until the election was over. This case was fought in the most determined manner. Delay after delay was interposed to the trial, but finally conviction of these high police officers

was secured and they were sentenced to imprisonment. It is safe to say that no more important case has been handled by the Committee of Seventy. The political organization which had control of the police officers (and this has not been confined solely to the Republican Organization) had felt that it was at liberty to use police officers in an unlawful manner for the purpose of intimidating citizens or compelling voters by the use of police clubs to regulate their political action in accordance with the wishes of the administration. The success in these cases demonstrated that even officers of the police force could be convicted in Philadelphia courts for such conduct as this, and notwithstanding they were supported by officers high in authority, who publicly commended their conduct and condemned their accusers. This case was appealed to the Superior Court. For technical reasons the judgment was reversed and the men must be tried again. President Judge Rice dissented and filed a vigorous opinion voicing his dissent. There was no suggestion that the men were not guilty.

POLITICAL ACTIVITY OF OFFICE HOLDERS.

The Committee of Seventy has also devoted much attention to minimizing the evil resulting to honest government from the pernicious activity of office holders. They form a compact army which is always at the service of the professional politician.

SHERN LAW.

An Act of Assembly passed at the special session of 1906 (largely through the efforts of the Committee), commonly known as the Shern Law, prohibits, on the pain of immediate discharge, political activity on the part of the appointive officers or employees of the city. From time to time the Committee of Seventy has filed complaints against city officers and employees who had clearly violated this act, but, until recently, without any action on the part of the officials with whom such complaints were filed. Particular reference should be made to the

fact that after the election of November, 1909, the Committee, as a result of its investigation, was enabled to present to the Director of Public Safety, Clay, sworn affidavits showing that 108 police officers had been guilty of flagrant violation of the law forbidding political activity at the polling places, but no action was ever taken by the Director.

Since Mayor Blankenburg has been inaugurated and there has been a change of policy in this regard, the Committee of Seventy has investigated and presented evidence to the Mayor and the various directors showing that 1,000 office holders have been guilty of political activity in violation of the Shern Law. Summary action has followed in some instances, and in others the offenders have been reprimanded or suspended from duty for different periods of time.

LEGISLATION.

In pursuance of its general policy to improve fundamental civic conditions the Committee of Seventy has promoted legislation which was beneficial to the city of Philadelphia and has opposed legislation inimical to its interests. It had a representative on the Commission which drew the personal registration act and uniform primaries act, and the Committee appropriated funds to defray the expenses of employing a secretary for the Commission which contributed largely to the efficiency of the work. The Committee of Seventy also used its influence in favor of the civil service law and corrupt practices act, which were, however, drawn entirely by others and were passed at the special session of the legislature in 1906.

At the regular session of the legislature which occurred in 1907 the Committee continued its watch over all laws introduced. It advocated many bills, some of which were successful and others unsuccessful, but perhaps the chief value of its work at this session was the defeat of certain legislation which aimed at the integrity of the personal registration act and other reform legislation which had been passed in 1906. This was accomplished partly through open opposition at Harrisburg and partly

by representations which were laid before the political leaders of the dominant party and which were successful in securing an agreement by them that the reform legislation should remain undisturbed. Without going into detail, it is sufficient to say that the Committee of Seventy has performed the same functions at legislative sessions since, and that it now has under consideration a similar programme for the future.

FUTURE LEGISLATION AND WORK.

The following may be mentioned as legislation which the Committee of Seventy intends to prepare and support in 1912. At the session of 1911 amendments to the personal registration act were passed which injuriously affected the usefulness of that statute. The Committee of Seventy protested against these amendments, but political conditions were such at that time that its efforts were not successful. This mischief must be undone and the personal registration act restored to its original condition.

The Committee of Seventy has also persistently urged a change in the uniform primary act so as to enable citizens who have voted independently in municipal affairs to participate in the primaries of their party at the national election. This would tend to promote independence of voting, because attached thereto would not be the penalty of exclusion from primaries of the national parties.

COUNCILS.

Another reform which the Committee of Seventy has repeatedly urged, but without success, is to reform the legislative governing body of the City of Philadelphia. As early as 1907 it presented to the legislature a bill to redistrict the City of Philadelphia and to greatly reduce the number of Councilmen. The present condition is demoralizing. Each ward has one representative in Select Councils, although some wards have ten times the voting population of others. The disproportionate rep-

resentation is all in favor of the lower wards, and operates unjustly against those sections of the city where there is the greatest intelligence and independence in voting. This means that a large majority of Councils, particularly Select Councils, is controlled by political leaders and does not represent the intelligent citizenship of Philadelphia. The Committee of Seventy earnestly suggests that the community give careful attention to this subject. Through the election of Mayor Blankenburg, and by reason of the strong cabinet which he has selected, the executive department of the city government is in good hands. The legislative department, however, is still far from satisfactory.

BALLOT.

The Committee also recommends that serious study be given to what is commonly known as the short ballot. This means that the number of elective offices shall be greatly reduced, with the result that people in voting shall be enabled to act more intelligently by reason of the smaller number of candidates to be approved or disapproved.

In furtherance of the same purpose to secure at elections the deliberate and honest choice of the people, the Committee will again urge, as it has in the past, the elimination of the abuse known as "assistance to voters."

MUNICIPAL COURTS.

The Committee has also had under careful consideration the question of the improvement of the administration of justice in Philadelphia. The decision of the Supreme Court has opened the way for the establishment of courts of a different character in Philadelphia to exercise the powers now exercised by the courts of Common Pleas. By the establishment of a municipal court, to assume jurisdiction of certain classes of cases, there can be, and will be, a great improvement in conditions because of the greater rapidity with which cases can be disposed of. This is one of the great problems with which every large

city has to deal. A delay of justice means in many cases a denial of justice, and it is the duty of all citizens to work together to reduce this delay to a minimum. We have before expressed our views as to the unfitness of magistrates and the need for an improvement or abolition of the magisterial system. This is more flagrant at the present day than ever before, because there are substantially no magistrates in the city to whom the Committee of Seventy can go with its cases with the assurance that they will be given that consideration which they deserve. Some of the magistrates who might otherwise handle them satisfactorily are not willing to have them brought before them because of the time and trouble it entails. Others are willing to have them, but seize the opportunity to perform political favors for their friends from time to time, with the result that offenders clearly guilty of election fraud are sometimes discharged when they should be held. This is a situation which is of the utmost gravity, and in providing for a municipal court it is highly important that one or more of the judges shall be required to sit as committing magistrates so that our cases may be brought before a judge of a court of record.

The following is a more particular statement of the work of the past year:

(1) ENFORCEMENT OF ELECTION AND REGISTRATION LAWS.

As in previous years, your Committee has continued its legal prosecutions for the purpose of protecting the ballot and securing the proper enforcement of the Personal Registration Act. Eighty prosecutions have been brought, fifty-seven convictions secured for offenses against the Personal Registration Act and twenty-six convictions for offenses against Election Laws. Other cases remain untried, and your Committee has in its possession a number of warrants which have not been served, owing to the fact that they have not been able to apprehend the defendants. A very large number of complaints has been investigated, and investigation of quite a number is at the present time

being made. There is no doubt that more arrests will follow.

In the cases in which convictions have been secured, the defendants have been sentenced to imprisonment for from thirty days to eighteen months and in many cases a fine has also been imposed.

A great deal of preliminary work is required in these cases. The jury panel is investigated, which necessitates night and day work, and many times your investigators are compelled to see three or four persons before they secure the desired information in reference to the character of each juror. We have been very thorough in this work, however, and the Assistant District Attorneys have commented favorably upon the manner in which the reports have been furnished to them.

(2) PURGING THE REGISTRATION LIST AND COMPILING OF CARD INDEX OF VOTERS OF THE CITY.

During the months of July, August and September, your Executive force undertook the task of making a card index of the voters of Philadelphia, as per the attached form. These records when completed were placed on all three registration days in the hands of paid watchers, who were enabled to detect fraud and prevent persons from registering upon other persons' names, as the card contained the complete description of the voter and transcript of former registrations. This index was of the greatest value to the watchers at Registration, Primary and General Elections, for, as stated above, it gave the correct description of every person registered, so that efforts to have men register or vote on the names of other men were lessened.

The watchers who handled this index were paid by the Committee of Seventy, and after each registration day they furnished your Committee with an exact copy of the registration of all persons registered, and their answers to questions put to them by the board of registrars, in their respective divisions. We were unable to complete the entire 1,197 divisions of the city, but finished twenty-five of the most important wards.

.....Ward

.....Division

Name.....

Address..... Occupation.....

Height	Age	Weight	Build	Color of Hair	Hair on Face	Nationality				
Tall			Stout	Black	Beard	Colored				
Short			Thin	Brown	Mustache	American				
Medium			Medium	Yellow	Side Whiskers	German				
				Red	Smooth	English				
				Gray		French				
				Bald		Hebrew				
						Italian				
						Irish				
Registered	1910	'11	'12	'13	'14	'15	'16	'17	'18	'19

Remarks:

Registration of 19.....

Name.....

Occupation.....

Address.....

Length of Residence in State.....

“ “ “ District.....

Residence at last Registration

Place of Birth.....

Signature.....

Remarks: -

We feel that this work was of such great value that the index for the entire city should be completed. It can and will be completed if the citizens of Philadelphia will contribute the \$5,000.00 required for this work.

Previous to the Primary Election and before the General Election your Committee investigated about two thousand complaints of false, and illegal registrations, and where the evidence warranted, petitions were filed with the Registration Commissioners to strike from the list the names of such persons as were found to be falsely registered or who for one reason or another were not entitled to be registered. Six hundred and ninety-two petitions were granted. Owing to the fact that witnesses had been intimidated by the police and others, and did not appear when subpoenaed by the Registration Commissioners to testify, your Committee was forced to withdraw many petitions which would doubtless have been granted had the witnesses obeyed the subpoena of the Registration Commissioners.

PERSONAL REGISTRATION ACT AS AMENDED.

One of the last acts of the Legislature at the Session of 1911 was to pass amendments to the Personal Registration Act of 1906, which did away with the independent representation upon division boards, reducing in number the board from four to three.

A special Committee of the Committee of Seventy had a hearing before the Judiciary Committee which had the bill in charge and protested against the suggested amendments. This was without avail. The bill was passed and sent to Governor Tener for his signature. The Special Committee then visited the Governor and laid before him the facts as to the effects of the proposed amendments and urged that he not sign the bill in question.

The following is a quotation from the "Brief Submitted to Honorable John K. Tener, Governor of Pennsylvania, on Behalf of the Committee of Seventy, against Senate Bill No. 382, Amending the Personal Registration Act":

"The Personal Registration Act as originally passed in 1906 was drawn in the light of previous experience in other States, with the intention of providing registration boards which would be really non-partisan, so that a fair list of voters could be expected. To accomplish this result it was provided that in each election district there should be four registrars, whose duty it should be to record, according to law, the names of persons entitled to vote. Two of these registrars, were to be members of the majority party, and two were to be members of the strongest minority party at the last preceding election. The reason for this provision is clear. In making up the registration lists, prior to an election, to determine what political party or organization can command a majority of the votes of the people, both sides should be equally represented. While the party which secures a majority of the votes at the election must be responsible for the administration of affairs until a new election, it should have no advantage over its opponent in the preparation for a new contest. The only effective way to secure a correct list of voters is to have the two strongest opponents equally represented on the board of registrars and to provide, as is now provided by law, that the united action of three registrars shall be necessary to any affirmative act. This substantially insures that every decision has merit in it. If a deadlock occurs, or any injustice is done, there are provisions for appeals to the central board of registration commissioners and to the courts.

"We cannot too strongly urge the necessity of preserving this equal division of representation in order that an honest and accurate list shall be made up. If the one party controls a majority of the registrars, it is almost certain they will use their power so as to gain unfair advantage over the minority party. This will be done by registering doubtful applicants who belong to their party, and excluding doubtful applicants who belong to their opponents. But more than this, in many sections of the larger cities, petty leaders in politics are often not only partisan, but criminal in political action, and fraudulent registration is by no means uncommon where it can be done with impunity. If the majority party has entire control, many fraudulent names will be placed upon the lists in certain sections of the larger cities. It is idle to say that this harm can be corrected by the Registration Board, or by the activity of non-partisan bodies, such as the Committee of Seventy. If the Committee of Seventy had many times the funds it has at its disposal, it would be impossible for it to make a thorough canvass and secure the evidence to strike off all

such fraudulent names. It is in fact able to do this only in a very small minority of cases, sufficient perhaps to deter other offenders in part, but by no means sufficient to correct the wrong. But irrespective of fraud, the reduction of the registrars from four to three, as provided in the bill, would make the registration partisan in character, giving the majority party an advantage, which is not only unfair, but wholly indefensible under any proper system of government.

"The provision in the act which makes the one minority registrar a representative of the party which polled the second highest vote at the last presidential election is also highly objectionable. The theory of the act, as already stated, is that the action of the boards shall be non-partisan, and to be such the parties most earnestly opposed to each other should be equally represented. The best test of real opposition is the vote cast at the last preceding election. This accordingly was the test which was established by the act, but the amendments propose that the only minority member on the board of registrars shall be representative, not of the strongest minority party at the time, but of the party which polled the second highest number of votes at the last presidential election. This means substantially that the minority registrar will represent a national party, and will be, under present conditions, a Democrat.

"In Philadelphia, and perhaps to a lesser extent in Pittsburgh and Scranton (although we are not so familiar with the local conditions in those cities), the real minority party is not the Democratic Party. Owing to the unfortunate provision for minority offices, contained in the Constitution of Pennsylvania, there is very often collusion between the Republican and Democratic Parties in the larger cities. Where this is the case it is obvious that the three registrars would co-operate and that the real minority would be unable to interpose any check upon the registration.

"In this connection the figures of some of the recent elections are instructive. There are in the City of Philadelphia 1,187 election districts. At the last election the Republican Party had a majority in 776 of these districts; the Keystone Party in 400, and the Democrats in 11. The Republican Party had second place in 408 election districts; the Keystone Party in 730, and the Democratic Party in 45. Under the existing law the Republican Party would be entitled to 2,368 registrars, two for each election district, where that party polled the highest or second highest vote. The Keystone Party would be entitled to 2,260 registrars and the Democrats to 112. Or, if the new law were in effect, with only three registrars in each

district, the Republican Party would have 1,960 registrars, the Keystone Party 1,530, and the Democratic Party 67.

"It is thus too clear to require argument that the real minority party in Philadelphia at the present time is not the Democratic Party, and yet it is proposed not only that the number of registrars shall be so changed as to give the dominant party absolute control of registration, but also that the minority registrar shall represent a party which, in Philadelphia is insignificant in number, and is often, if not always, in corrupt collusion with the Republican majority.

"We respectfully submit that this legislation cannot have been prompted by motives which will bear examination. The very best construction that can be placed upon it is that it was intended to perpetuate a partisan control, which is in itself inimical to public interest and contrary to sound principles of popular government. But more than this, the provision that the minority registrar shall represent the Democratic Party indicates a corrupt purpose on the part of the majority party to control the action of that minority member, and to open the way for fraud by excluding from the registration boards any representative of the party which represents the only real opposition to the majority. We are dealing with this question without regard to the interests of the Keystone Party as such; it makes no difference who the minority registrars represent, so long as they represent a real opposition to the majority but we are forced to the conclusion from the figures that the effective opposition does not come from the party which ordinarily polls the second highest vote at a presidential election.

"The two objections already referred to are the ones which the Committee of Seventy desires to emphasize. There are other objections, however, which ought not to be overlooked.

"The salaries of the employees of the Board of Registration Commissioners have been increased and made mandatory, without any request as we are informed by the Commissioners or any of them. The compensation of the registrars has been largely increased without cause. These two facts dispose of the false and specious plea of economy, which was advanced on the floor of the house as a reason for reducing the number of registrars from four to three.

"The Act is also objectionable in that it provides (Section 10, page 995, and following) for the registration by the Board of Registration Commissioners of any elector who has paid his taxes after the fall registration days. As a practical matter, such registration is an impossibility. The Registration Commissioners are now

crowded with work from the registration day until the election day, and any additional work could not be performed. Moreover, it is a bad principle to have electors registered before the central board, when they have never appeared before the local boards. The place for a man to be registered is in his own home, and before local officers who are his neighbors, and who know whether he is qualified as a voter. If he seeks to be registered by a central board, his neighbors or others from his division will not be present, there will be no means of knowing whether he is qualified to be registered, provided he answers the questions correctly, and the door will be opened to fraud."

The Governor, however, like the Judiciary Committee, ignored these protests, and signed the bill.

In order that there should be no open gate-way for fraud, your Committee investigated for the Registration Commissioners all applicants for appointment as Registrars and furnished them with information which was of much value and assistance in making proper appointments. The Registration Commissioners comment, in the Annual Report to the Governor, on the work done by the Committee of Seventy, as follows: "The Committee of Seventy, as in previous years, has been vigilant in their prosecution of offenders against the registration law, and we attach herewith a list of convictions secured by this Organization. The vigilance with which the operation of the law is followed by the Committee of Seventy and the prompt prosecution of violations tend to prevent any wide spread violations of the law and to secure for the citizens of Philadelphia honest and efficient administration."

(3) WARNING TO MUNICIPAL OFFICE HOLDERS.

Prior to the Primary and a day or two before the General Election, letters of warning were sent out to the election officers, policemen, firemen and other office holders warning them against political activity and illegal assistance of voters at the Primary and General Elections. The letter sent to Election Officers read as follows:

WARNING TO ELECTION OFFICERS.

No Intimidation of Voters.

No assistance. No false count.

Law must be observed.

Penalty, Five years Imprisonment.

Assistance of Voters:

The Uniform Primaries Law provides, relative to the assistance of voters:

"No elector shall be permitted to receive any assistance in marking his ballot unless he shall first make an affidavit that he cannot read the names on the ballot or that by reason of physical disability he is unable to mark his ballot."

The Committee of Seventy gives notice that violations of this statute will be punished to the full extent of the law. This includes the election officers who allow assistance as well as the voter who illegally obtains assistance, and the man who assists him.

Conduct of Election Officers:

The election must be conducted in accordance with the laws governing general elections, and any violations of these laws, such as permitting unqualified persons to vote, or rejecting the votes of persons duly qualified, or allowing repeaters to vote on the names of registered voters, or declining to require electors to sign the book when challenged, or other violations of law will be prosecuted to the full extent by the Committee of Seventy without regard to the politics of the offender.

Intimidation and Police:

The Committee of Seventy has already warned every police officer in the City of Philadelphia against any illegal action tending to intimidate voters, either by false arrests or by any other means. The Uniform Primaries Law expressly provides:

"No police officer in commission, whether in uniform or in citizens' clothes, shall be within one hundred feet of a polling place during the conduct of a primary election, unless in exercise of his privilege of voting, or for the purpose of the serving of warrants or the preservation of the peace."

A police lieutenant, two house sergeants, and a patrolman were convicted of conspiracy upon a prosecution of the Committee of Seventy, for illegal arrests and intimidation, at the election of November, 1909. This is an instance of what will occur if there are any repetitions of this conduct at the approaching primary.

Challenges:

Electors should understand that they have the right to challenge the vote of any person, not qualified, who presents himself. The election officers are obliged to regard such challenges and to require the voter to sign his name in the ballot check list, for the purpose of comparing his signature with the signature in the voting check list, and he must be required to make the necessary affidavits and produce the proper vouchers to establish his identity. Failure on the part of election officers to heed the challenge is a criminal offense and will be prosecuted as such.

Voters who have lived in the division since the 7th of September are entitled to vote at the Primary, and challenges based on the ground that they have not been residents of the division for sixty days are unfounded. The law requires residence for sixty days before the general election, but not before the primary.

Counting the vote:

Watchers of all parties should be present at the counting of the vote to ascertain that no errors or fraud are committed. If a false return of the votes is made, it can always be detected by a petition of five citizens to open the ballot box and recount the vote. This is a sure means of detecting and punishing fraud of this character, if citizens will attend to their duties when acting as watchers. The Committee of Seventy pledges itself to promptly cause the opening of any such ballot boxes and to arrest and prosecute the offenders.

The election officers and clerks are responsible for the proper counting of the votes, and no one else, office holders or watchers, must be permitted to interfere.

The penalties upon election officers for violations of election laws at the primary are \$1,000 fine and five years imprisonment, or both in the discretion of the Court.

The letter sent to the police and other office holders was as follows:

November 4, 1911.

DEAR SIR:

As in the past, it is the intention of the Committee of Seventy to prosecute offenses against the election laws at the coming election of November 7th. We beg to notify you of this, and to request that you will co-operate with this Committee in bringing about the prosecution of persons who wilfully interfere with the secrecy of the ballot, unlawfully assist voters, or intimidate watchers or election officers.

This Committee is non-partisan, and will prosecute the offender, whether he be a Republican, Democrat, or Independent. In the past year it has instituted prosecutions which resulted in seventy-eight convictions for elections and registration crimes. In the past six years we have prosecuted about two hundred and fifty persons.

Regarding the assistance of voters, you will remember that no voter is entitled to assistance in the marking of his ballot unless he first declares to the Judge of Election that by reason of disability he desires assistance. If he does not so declare, he cannot have assistance. After he has so declared the Judge of Election should permit him to select a qualified voter of the election district to assist him.

If the voter asks for and obtains assistance wrongfully he is liable to be arrested, indicted, tried and convicted under Act of Assembly, which says:—

“A voter who * * * shall falsely declare to a Judge of Election that by reason of any disability he is unable to mark his ballot, and on that account desires assistance in marking it * * * shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed \$100 or to undergo an imprisonment not to exceed three months, or both, at the discretion of the Court.”

The same penalty is put upon:

“Any helper who shall attempt to influence the vote of the voter whom he is assisting, or who shall mark a ballot in any other way than that requested by the voter whom he is assisting, or who shall disclose to any one the contents of any ballot which has been marked with his help.”

And the Judge of Election who shall negligently or wilfully permit assistance to be wrongfully rendered:

“shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding \$1,000, or to undergo an imprisonment for not more than one year, or both, at the discretion of the court.”

On the day before the General Election a warning was posted as follows:

REWARD!

The Committee of Seventy is authorized to offer the sum of \$50,000 in rewards for the production of evidence leading to the arrest and conviction and imprisonment of any person who is guilty of ballot fraud at the election

to be held Tuesday, November 7, 1911. All such evidence should be immediately reported to the headquarters of the Committee of Seventy.

THE REWARDS WILL AVERAGE FROM \$1,000.00 TO \$250.00 ACCORDING TO THE GRAVITY OF THE OFFENSE.

There is no doubt that these warnings had a deterring effect upon persons inclined to commit fraudulent or illegal acts, and were far-reaching in their effect, for at these elections there was less trouble than there has been at any election held for the past four or five years.

Nevertheless your Committee received a great many complaints which have not all been investigated owing to the pressure of work. These investigations will be made as quickly as possible, however, and where the evidence warrants, arrests will be made of the offenders.

(4) THE SHERN ACT.

Immediately after the election of November 7, 1911, your Committee undertook the task of investigating complaints of political activity of office holders, policemen and firemen. More than 1,500 cases have been reported, and as quickly as they have been investigated they have been turned over to the Mayor that he might place them in the hands of the Directors of the various departments for such action as they deem advisable.

From the 10th day of November until the middle of January the Executive Offices were open from 9 A. M. until 10.30 P. M., from the middle of January until the 1st of February, the Offices were open every other night, and since the 1st of February the Offices have been open by appointment on evenings when witnesses desired to come to make statements in order that they may lose no time from their work.

More than 5,000 affidavits have been taken and many hundreds of witnesses have been examined. There are still quite a number of cases to be completed, which means that a great many more witnesses must be seen, so they

may make the necessary affidavits, as to the political activity in violation of the Shern Act of the persons complained of.

Your Committee has presented to the Mayor 1,000 completed cases as follows:

Department of Public Safety.....	532
Department of Public Works.....	417
Department of Health and Charities.....	60
Department of Wharves, Docks and Ferries	17
Department of Supplies.....	24
City Solicitor's Office.....	7
Civil Service Bureau.....	2

Your Committee has also sent to Herbert Mitchell, Esq., District Secretary of the United States Civil Service Commissioners, eight cases of the political activity of federal office holders.

The complaints received by your Committee of the political activity of office holders cover every department of municipal government, but unfortunately we are unable to use this information in many departments owing to the fact that the Shern Act does not cover the County offices.

It might be well to state here that Judge McGill was very clear in his decision in the case of *Commonwealth vs. William K. Johnson*, employce of the Department of Wharves, Docks and Ferries, which was as follows:

"Section 2 of the act in question provides that 'No officer, clerk or employee of any city of the first class shall be a member of, or a delegate, or alternate to, any political convention, shall serve as a member of, or attend the meetings of any committee of any political party, or take an active part in political management or political campaigns, shall in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place, or with the election officers while counting the vote or returning the ballot boxes, etc. save only for the purpose of making and depositing his ballot, or be within any polling place, or within fifty feet thereof, except for purposes of ordinary travel or residence,' etc., etc., and for the violation of the act provides as a penalty the immediate dismissal from employment by the city.

"This is an act which is intended to prevent political activity or taking an active, managing part in political affairs by employees of the municipality. It relates to personal activity, and does not in any way conflict with the constitutional provision in relation to 'the free communication of thoughts and opinions,' or the right of the citizen to 'freely speak, write and print on any subject.'

"An employer, whether an individual or a municipality is entitled to have the best service of which an employee is capable. And if, in the judgment of the legislature, political activity on the part of clerks or employees of a city is likely to interfere with efficient service, there should appear to be no sufficient reason why such activity should not be restrained or prohibited, so long as the individual elects to continue in the public service. If such restriction is distasteful to him he has the alternative of seeking other employment. He is not by the act prohibited from engaging in free speech, or other wise communicating or expressing his views upon political subjects, urging these views upon others in an effort to influence them to vote for the candidates of his choice, nor is his right to the free exercise of the elective franchise restricted.

"By the act, the employee is merely prohibited, while in the employ of the city, from doing certain specific things which are designated as being opposed to the best interests of the municipal service. There can be no doubt that the legislature would have the power to enact that no person, while acting as a clerk or employee of a city of the first class, should engage in other business or employment, nor hold public office, even though the duties of such employment might not be performed during the hours of his employment by the city, as, for instance, that he should not accept employment as a night watchman, which would deprive him of the rest requisite for proper and efficient service during the working hours of his city employment. The act does not impose any restrictions upon the actions, political or otherwise, of the individual as such, but simply upon the employee of the municipality while holding office or employment thereunder. It is simply a condition of his employment. If he does not like or is unwilling to submit to the restriction upon his personal liberty, he need not accept or continue in the employment of the city. If he does accept or continue in such employment, he waives his right to that freedom of action which he enjoys when otherwise employed. 'It belongs to the state, as the guardian and trustee of its people and having control of its affairs, to prescribe the conditions upon which it will permit public work to be done on its behalf or on behalf of its muni-

cialties. No employee is entitled of absolute right, and as a part of his liberty, to perform labor for the State.' ”

It may be added that in many cases where prosecutions of election fraud seem to have failed because verdicts of “not guilty” have been recorded, our work is not in fact without result. Inquiries have been made in a number of cases as to the conditions in various election districts following verdicts of “not guilty” in election prosecutions, and we have learned in almost every case that there has been a marked improvement in the observance of law. Although very few prosecutions have failed in comparison with the number which have succeeded, it is important that the moral effect of prosecutions shall not be overlooked.

On behalf of the Executive Board,

JOHN C. WINSTON,
Chairman

EDWARD L. D. ROACH,
Secretary.

Philadelphia,....., 191...

TO RICHARD L. AUSTIN,

Treasurer, The Committee of Seventy,

116 South Third Street, Philadelphia.

I will contribute.....dollars for the use of the
Committee of Seventy, toward the \$10,000 pledged at the annual meeting of the
General Committee, March....., 1912. Enclosed find \$.....

Name.....

Address.....

STATEMENT
OF
RECEIPTS AND DISBURSEMENTS
from March 1, 1911, to February 29, 1912.

RECEIPTS.

Contributions.....	\$19,173.43	
Balance on hand, March 1, 1911....	2,782.64	
	<hr/>	\$21,956.07

DISBURSEMENTS.

Furniture for office.....	\$180.40	
Printing.....	724.18	
Office expenses.....	3,703.16	
Rent.....	850.08	
Compensation of investigators.....	2,671.00	
Prosecution of election and registra- tion frauds, including investiga- tions and legal expenses.....	6,529.22	
Stenographers and clerks.....	4,189.95	
Secretary's salary.....	2,085.00	
Balance on hand.....	1,023.08	
	<hr/>	\$21,956.07

RICHARD L. AUSTIN,
Treasurer.

March 1, 1912.

THE COMMITTEE OF SEVENTY.

(The first address is the business address; the other is residence.)

Richard L. Austin, Treasurer

116 South Third Street
Rex and Seminole Avenues

John E. Baird

307 Real Estate Trust Building
1506 North Sixteenth Street

James Bateman

122 South Front Street
150 West School Lane

T. Broom Belfield

1905 Spring Garden Street

George I. Bodine

129 South Fourth Street
Sunset Avenue, Chestnut Hill

Franklin N. Brewer

Care John Wanamaker
Moylan, Pa.

William C. Bullitt

351 Bullitt Building
222 South Nineteenth Street

George Burnham, Jr.

1218 Chestnut Street
State Road, Berwyn

B. Frank Clapp

Land Title Building
1908 Walnut Street

Herbert L. Clark

321 Chestnut Street
West School Lane, Germantown

Percy H. Clark

321 Chestnut Street
Cynwyd, Pa.

Henry H. Collins

226 Columbia Avenue
Bryn Mawr Avenue

Walter I. Cooper

1819 Spring Garden Street

Francis R. Cope, Jr.

West End Trust Building
East Washington Lane, Germantown

Cyrus H. K. Curtis

Curtis Building, Sixth and Walnut Streets
Wyncote, Pa.

Frank Miles Day

925 Chestnut Street
Allen Lane, Chestnut Hill

Henry T. Dechert

West End Trust Building
3930 Walnut Street

James Aylward Develin

400 Chestnut Street
6052 Overbrook Avenue

James M. Dodge

Care Link Belt Company
Clapier Street and McKean Avenue, Germantown

Russell Duane

1617 Land Title Building
2028 De Lancey Place

Franklin S. Edmonds

614 Franklin Building
7818 Lincoln Avenue, Chestnut Hill

Powell Evans

517 Arch Street
Waterloo Avenue, Devon

Samuel S. Fels

Seventy-third and Woodland Avenue
Thirty-ninth and Walnut Streets

Vivian Frank Gable

133 South Twelfth Street
201 North Thirty-fourth Street

William A. Glasgow, Jr.

415 Real Estate Trust Building
124 South Twenty-second Street

Emil Guenther

308 Pennsylvania Building
Hamilton Court

William H. Haines

1136 Ridge Avenue
5433 Wayne Avenue

Clarence L. Harper

715 Chestnut Street
1922 Green Street

William H. Hollar

Philadelphia Bank Building
4220 Spruce Street

Stevens Heckscher

1617 Land Title Building
2124 Spruce Street

Henry La Barre Jayne

505 Chestnut Street
1035 Spruce Street

John Story Jenks

328 Chestnut Street
1937 Arch Street

Robert D. Jenks

700 West End Trust Building
920 Clinton Street

William W. Justice

Pennsylvania Company
Manheim near McKean Street

J. Percy Keating

701 Arcade Building
1833 De Lancey Place

Arthur H. Lea

706 Sansom Street
East Graver's Lane, Chestnut Hill

Max Levy

220 West Roberts Avenue
2224 West Tioga Street

Francis A. Lewis

512 Walnut Street
2207 St. James Place

Theodore J. Lewis

1218 Chestnut Street
212 North Thirty-fourth Street

William M. Longstreth

230 Chestnut Street
Penn and Knox Streets, Germantown

J. Gibson McIlvain

Crozer Building
East Downingtown, Pa.

Charles L. McKeehan

500 West End Trust Building
30 South Twenty-first Street

Henry F. Mitchell

Thirty-sixth and Reed Streets
210 North Thirty-fourth Streets

Roland S. Morris

Land Title Building
2122 Spruce Street

William F. Norris

133 South Twelfth Street
1530 Locust Street

S. Davis Page

700 West End Trust Building
Evergreen Avenue, Chestnut Hill

Sheldon Potter

800 West End Trust Building
48 West Tulpehocken Street

Charles Richardson

704 North American Building
1307 Spruce Street

Edward L. D. Roach, Secretary

708 Bulletin Building
4924 North Thirteenth Street

Owen J. Roberts

500 West End Trust Building
238 Roumfort Avenue, Chestnut Hill

Francis B. Reeves

Girard National Bank
Clapier and McKean Streets

Dr. L. S. Rowe

Logan Hall
Thirty-sixth Street and Woodland Avenue

William H. Scott

1211 Clover Street
168 West School Lane, Germantown

Coleman Sellers, Jr.

1600 Hamilton Street
3301 Baring Street

Frederick H. Strawbridge

801 Market Street
School Lane and Wissahickon Avenue, Germantown

Howard R. Sheppard

Fourth Street and Montgomery Avenue
1527 North Eighth Street

Allan Sutherland

133 Witherspoon Building
1502 Tioga Street

Albert E. Turner

N. E. Cor. Broad and Chestnut Streets
6435 Woodbine Street

Thomas Raeburn White, Counsel

700 West End Trust Building

187 Maplewood Avenue, Germantown

John Walton

Frankford, Philadelphia

Asa S. Wing

409 Chestnut Street

4028 Walnut Street

John C. Winston, Chairman

1006 Arch Street

5441 Wayne Avenue, Germantown

Owen Wister

1004 West End Trust Building

Old York Road and Olney Avenue

Stuart Wood

400 Chestnut Street

1620 Locust Street

Walter Wood

400 Chestnut Street

1620 Locust Street

Dr. George Woodward

708 North American Building

West Willow Grove Avenue

